**U.S. Department of Justice**

Roscoe C. Howard, Jr.
United States Attorney

*District of Columbia*

*Judiciary Center*

*555 Fourth St., N.W.*
*Washington, D.C. 20530*

**STATEMENT**
**on**
**JUVENILE JUSTICE**
**by**
**PATRICIA A. RILEY, SPECIAL COUNSEL TO**
**THE UNITED STATES ATTORNEY**
**before**
**THE COMMITTEE ON THE JUDICIARY**
**COUNCIL OF THE DISTRICT OF COLUMBIA**

**March 24, 2004**

*His skull was shattered, his face sustained multiple fractures, many of his teeth were broken at the base, and his body was badly beaten. The surgeon . . . had the opinion that bricks were used to crush his skull. He was in a coma for eight weeks. By the time he gained consciousness, his body was emaciated and he remained in restraints as his arms and legs constantly flailed.*

*[He] now resides with us . . . . His coming has profoundly changed our lives. So, not only has this incident ruined one man's life, but its effects ripple through his entire family. We struggle everyday to meet his needs. [He] has suffered a traumatic brain injury with extensive damage to the speech areas of his brain. He is no longer the man we knew, but someone different in many ways. He no longer has the same character; only bits of his personality still exist. The faculties you and I take for granted have been stripped from him. He has no interests. His emotional responses are unpredictable. . . .*

*[We] must provide around-the clock supervision. He lives in a world of pain, confusion and unpredictability. He can no longer be the father his three sons knew, the brother that we knew, or the man we all love. . . . [H]is entire life has been adversely altered forever. It is the direct result of actions taken by those who have no morals and surely no value for human life. When someone takes another person's life, we call it murder. When someone takes someone's life yet they continue to breathe, what do we call this?*

Family of man severely injured by armed teenage carjackers

Good evening, Chairperson Patterson and other members of the Committee. Thank you for the opportunity to testify on Bill 15-666, Public Access to Juvenile Justice Amendment Act of 2004, and Bill 15-673, Blue Ribbon Juvenile Justice and Youth Rehabilitation Act of 2004. The victim impact statement quoted above comes from the family of a cab driver who was brutally beaten by a gang of teenagers, most under 18 and one under 16, who altogether committed 75 carjackings and 100 car thefts in Wards 1, 2, 4, 6 and 7, many directed against cab drivers and their passengers.

While most juvenile crime involves what we think of as youthful indiscretions or bad judgment, buying and using drugs, theft, graffiti, and so forth, some juvenile crime involves the most serious, violent, hard-core criminality -- the kind of crimes that gravely injure and permanently affect the lives of their victims, families, and communities. Let me give you a few other examples:

- A mother heard somebody frantically ringing her doorbell and when she opened the door, her son lay dying, shot by a 17-year-old because he refused to give up his Eddie Bauer jacket (Ward 8);
- A couple, returning home on Capitol Hill, had their sense of security and well-being destroyed by three teenagers who mugged them, even though a neighbor scared the attackers off and they got no valuables (Ward 6);
- A 17-year-old fatally shot a man -- in the presence of his young daughter and 15 to 20 other children playing touch football -- because the victim was present a few days earlier when another man struck the 17-year-old, breaking his jaw (Ward 8);
- A 17-year-old and three teenage companions viciously beat and stabbed a man to death over an argument one of them later characterized as "not worth it." As the victim lay dying, they took his jacket, Timberland boots and cell phone (Ward 4);

- A mother carrying her small children one-by-one into the house from the car is robbed by a 17-year-old who entered her house, threatened her, took her car keys and then stole her minivan with one toddler inside, as the mother hung on, trying to open the door, until she lost her footing and fell to the ground (Ward 6);
- On Mother's Day, a 16-year-old shot his15-year-old ex-girlfriend twice in the head, killing her, because she claimed he was the father of her child and he thought he was too young to be a father. DNA later confirmed his paternity (Ward 7);
- A 17-year-old, aware that a family went to the bank at a certain time every month, lay in wait for their return and then forced his way into their apartment and beat the 53-year-old mother, her daughter, and her 12-year-old granddaughter with a metal pipe, demanding their money (Ward 8);
- Three youths, including a 17-year-old, broke into a house seeking money and encountered a lone woman whom they pistol-whipped and raped before escaping with an undetermined amount of cash (Ward 7);
- A 16-year-old approached a man as he was walking from his car to his house, pointed a semi-automatic weapon at him, and demanded his car keys and money. The car was spotted a short while later and, during the course of an authorized pursuit, he crashed the car and ran (Ward 2);
- A 17-year-old and her boyfriend robbed and murdered a man she lured to a motel room for purposes of prostitution and then went on a shopping spree with his money (Ward 4);

- A 16-year-old sprayed a crowd standing in front of the Zoo on Easter Monday with bullets from a 9 mm. semi-automatic weapon, striking seven youths between 11 and 17, and seriously wounding one of them and causing permanent short-term memory loss and cognitive disabilities (Wards 1 and 3);
- A 17-year-old, aiming for someone else, sprayed a car with bullets, striking and killing a 7-year-old boy (Ward 7); and
- A 17-year-old run-away from a juvenile group home committed three separate murders, two during the course of arguments and one during the course of trying to hold up a store, where he also shot at a witness to the murder (Ward 5).

These cases are in addition to those I referred to in my last testimony on juvenile justice which involved:

- The brutal rape of a woman in the presence of her fiancé by a16-year-old and a 21-year-old confederate, armed with a knife and a gun, who pushed their way into the couple's house and, in addition to the rape, threatened to kill the couple, further degraded and humiliated them, and forced the woman to go with one of them to an ATM and give them money (Ward 6);
- The vicious fatal beating of a young man, thought to be gay, by a pack of teenagers who struck him with fists, a bottle, mop, vacuum cleaner, and plastic bucket before ramming a metal pole 18 inches up his rectum, because, they alleged, he had stolen some money (Ward 7);
- The serial rape of four teenagers by a 16-year-old with a long history in the child welfare and the juvenile justice systems (Wards 7 & 8); and

- Serial armed robberies of lone women -- 29 in all -- by a gang of youths who used pepper spray, knives, a gun, or physical force to overcome any resistance (Ward 4).[1]

Youthful indiscretions? Bad judgment? We are fortunate that we have not yet had a Columbine-type mass murder in our schools, but in the last few months we have had two teenagers killed by gunfire, one on the steps of Anacostia High School and one inside Ballou. The victims were 16 and 17 years old respectively and their assailants, 15 and 18 years old. Among the victims in the cases cited above, at least 18 were teenagers or younger themselves.

This kind of violence and the long-term devastation it leaves in its wake has caused many to recognize that the child welfare model of juvenile justice is not suitable for the most serious, violent, and repeat offenders. These are crimes that ruin if not totally destroy lives, that cripple their victims physically or emotionally, that shatter families, that terrorize neighborhoods: murder, rape, armed robbery, home invasion burglary or, as we have experienced lately, stealing cars and killing injuring, or terrifying those in their path. The consequences of these crimes are simply too enormous to allow us responsibly to focus solely on the offender and not on the victim, the community, and public safety.

Before addressing the specific issues before the Council today, I first want to reiterate what I said in January: the solution to juvenile crime cannot be found in either the juvenile justice or the criminal justice system; it must be found in the social service systems --including our schools -- that address, or should address, troubled or at-risk youth long before they commit crimes and it must be

[1] These cases do not include crimes committed by those just on the other side of their 18th birthday such as two young men who initially started robbing women on their way to work in the morning, and then, becoming bolder, raped their victims as well, including one who was obviously pregnant. All told, there were16 victims in the span of two months. (Ward 7)

found in strengthening and supporting parents and other caretakers or, where this is not possible, in placing children in safe, secure, nurturing environments where they are taught how to become mature and responsible members of our society.

We know in our hearts, if not from research, that children who are abused and neglected most often arrive at school unprepared to learn, that they become troublemakers, they fail, they fall behind. Academic failure turns into life failure with the early use of alcohol, drugs and sex, and the commission of status offenses like running away and truancy. And then it escalates.

The challenge to this city -- as to any city -- is to address the root causes of delinquency and criminality at the same time we are dealing with those already enmeshed in the juvenile justice or criminal justice systems. We have to find the will, we have to find the way, to do both. It will be expensive for a period of time, but if we are successful with the former -- by reducing or eliminating those circumstances that lead to criminal conduct -- then within a generation or two, we can vastly reduce the resources devoted to investigating, prosecuting, and incarcerating those who commit crime and the costs of crime to our society, not only in terms of physical, emotional, and economic losses, but the loss of a sense of well-being and security that crime produces. Make no mistake, it is a huge challenge, but this city is a small city, with vast human and economic resources and, with determination and support from our federal partners, we believe we can do it.

Let me give one example. One of the studies I have read recently talks about three things that appear to make a difference in diverting kids from crime: It says, "[t]he probability of violence at age 18 among youth who were aggressive at age 10 was lower for those who, at age 15, attended religious services, experienced good family management, or were strongly bonded to school." Todd

I. Herrenkohl, et al., *Protective factors against serious violent behavior in adolescence: A prospective study of aggressive children,"* SOCIAL WORK RESEARCH, at 179, 188 (September 2003). Unfortunately, this doesn't address youth who are already violent before they turn 18, which is the subject of today's hearing.

**The Blue Ribbon Commission**

The Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform [BRC] was comprised of many distinguished and respected community leaders and they provided a valuable service in many respects. However, no victims of juvenile crime or representatives of neighborhoods adversely affected by juvenile crime served on the Commission. Thus, what the Commission was exposed to was quite different from what we in the United States Attorney's Office hear in our daily interactions with crime victims and in community meetings. Starting from an obsolete child welfare model of juvenile justice, the Commission did not give adequate attention to balancing the best interests of the child against the needs of the victim and community safety.

Prevention is critical. We endorse and support any and all activities which will give our youth a better shot at becoming productive citizens. This extends to juveniles who commit lower level, less serious, non-violent crimes. But there is a point where the crimes are too serious or too numerous to disregard punishment, and in some instances, severe punishment must be a part of the equation. In cases like those I have described above juveniles should be tried as adults.

So we disagree strongly with the attempt in Bill 15-673 to amend D.C. Code § 16-2301(3) in order to strip the United States Attorney's Office of its power to charge 16 and 17 year olds as adults when it is alleged that they have committed murder, first degree sexual abuse, armed robbery, first degree burglary and assault with intent to commit these offenses, and offenses joinable with

these offenses. We also strongly disagree with the attempt in Bill 15-673 to amend D.C. Code § 16-2307 to make it more difficult to transfer juveniles younger than 16 to the adult system. If anything, it should be made easier, as we proposed in our January testimony.

**Direct File Authority**

As a matter of law, the Council of the District of Columbia has no authority to "Enact any act or regulation . . . relating to the duties or powers of the United States Attorney . . . for the District of Columbia." D.C. Code §1-206.02(a)(8). The Council also has no authority to amend or repeal any Act of Congress which concerns the functions of the United States. D.C. Code § 1-206.02(a)(3). The proposed amendment to D.C. Code § 16-2301(3) relates to the duties and powers of the United States Attorney for the District of Columbia and the functions of the United States. Therefore the Council cannot enact it.

As a matter of basic fairness and public safety, even if the Council had the power to change this provision, it would not be wise to do so. "Treating children as children," which is at the heart of the BRC Report [BRCR], fails to consider the victim and public safety. We need to strike a better balance. For youth who commit less serious offenses, this means a restorative justice approach. For youth who commit serious, violent, and repeat offenses, it means the criminal justice system.

First of all, the juvenile justice system fails to effectively denounce and provide meaningful sanctions for extremely serious, violent, and destructive behavior.

Second, a rehabilitation-only model minimizes the responsibility of youth for their own conduct and fails to hold them accountable for it.

Third, victims -- and the community -- do not think it is fair for someone to "get off lightly" with a year or two at Oak Hill, or at residential treatment center, or probation when they, the victims,

have been sentenced to years and years, if not a lifetime, of pain and suffering, both physical and emotional. It doesn't balance the scale.

Fourth, the costs of not treating as adults, juveniles who commit the most serious, violent and repeat offenses, are too high: loss of life, loss of limb, loss of liberty, and all the other losses articulated so well by the rape victim we quoted in our previous testimony.[2] We cannot risk the failure or the inability of the juvenile justice system to rehabilitate those who have committed these offenses. One young man who, at fifteen, was adjudicated delinquent for murder and assault with intent to kill, has now been convicted of three first degree murders and an assault with intent to kill, among other offenses. Another, within a year of having been adjudicated delinquent for assault with intent to kill while armed and while under court supervision, participated in an armed first degree murder. Another, with a less significant juvenile record, became a serial rapist while on escape status from a group home. Another, with a less significant juvenile record, became a serial murdered while on escape status from a group home.

Fifth, a community that thinks the juvenile justice system is responsive to its needs is apt to be more responsive to the needs of the juvenile justice system. If we are to have community-based residences and programs for the vast majority of youth whose level of offending and history suggest that this is an appropriate alternative, if we are to have effective re-entry programs for youth who are

---

[2] *We have lost our ability to show each other love in its deepest form. . . . [W]e have lost our home. We lost the community and neighbors we love. . . . We are no longer in a position to care for children. . . . We've lost the inherent trust, faith, and respect we had in people and the world around us. We carry undeserved baggage of shame and guilt for not having had the strength or power to save each other from the horrible things that happened that night. . . . [Before this,] I was never afraid. . . . . Now, I am always afraid. . . . I break into sobs for my lost life.* Victim Impact Statement of woman raped in presence of her fiancé by a 16 year old and an older man.

returning from Oak Hill or out-of-state residential facilities, then the community must be receptive.

Sixth, requiring the juvenile justice system to try to rehabilitate those who have committed the most serious, violent or repeat offenses diverts precious resources away from those youth whose chances at rehabilitation are much greater.

Seventh, knowing that the consequences are going to be relatively inconsequential may encourage some youth to participate in criminal activity.

Eighth, transfer proceedings in the District of Columbia take so long that there would be precious little time left for rehabilitation in the juvenile system for those who are kept there even if rehabilitation were the only goal.[3] Moreover, delay endangers the chances of a successful prosecution if the case is transferred to the criminal calendar.

Ninth, except for murder, in those cases where the judge believes it is appropriate, he or she can give a Youth Rehabilitation Act sentence which can lead to a set aside of the conviction.

Tenth, juveniles are not sent to adult facilities in the federal system until at least their 18th birthday, and sometimes not then. Moreover, education, mental health and substance abuse treatment, job training, and other opportunities are available to them as to any federal prisoner. So their chances for rehabilitation are at least as great or greater than they would be in the juvenile system.

---

[3] Hawaii is the only other jurisdiction we have found where it may take an inordinate amount of time to transfer a person to the adult system. In the other two states that have only discretionary waiver to the adult system (Tx., Tn.), transfer takes 90 days or less. Hearings are short, decisions are generally issued the same day, and virtually every petition is granted. Congress cited the "substantial difficulties in transferring juveniles charged with serious felonies to the jurisdiction of the adult court under present law" as one of the reasons for giving the U.S. Attorney direct file authority. *United States v. Bland*, 472 F.2d 1329, 1333 (D.C. Cir. 1973), *quoting* H. R. Rep. No. 907, 91st Cong., 2d Sess. 50 (1970).

Finally, the vast majority of jurisdictions mandate or, by prosecutorial discretion, permit trying juveniles as adults for the offenses about which we are most concerned: murder, first degree sexual abuse, armed robbery, home invasion burglary, and assault with intent to commit these offenses.[4]

The Blue Ribbon Commission Report [BRCR] asserted that juveniles in the District "do not have the due process associated with a judicial hearing afforded youth in other jurisdictions prior to their transfer to the United States Attorney for prosecution as adults." BRCR at 133. This is not accurate, suggesting as it does that the District is out of step with the rest of the country and somehow violating the rights of juveniles.

First, there is no constitutional entitlement to a hearing before a person under the age of 18 is charged as an adult. *See United States v. Bland*, *supra* at note 3. Indeed, thirteen states consider all 17 or even 16 year olds to be adults.[5]

Second, most states do not require a hearing before a person under the age of 18 is charged as an adult for serious, violent or repeat offenses. At the time that the BRCR was issued, 36 states through statutory exclusion or mandatory waiver *required* that juveniles, some as young as 12 or 13, be tried as adults, at least for violent or repeat offenses. At the end of 2002, the figure was 38.[6]

---

[4] Many jurisdictions also mandate or permit trying juveniles as adults for non-violent offenses, including any felony, drug offenses, escape, theft, etc., in addition to other violent offenses, such as arson, mayhem, and aggravated assault..

[5] Altogether, three states (Ct., NY, NC) cap juvenile proceedings at 15 years of age and ten (Ga., Il., La., Ma., Mi., Mo., NH, SC, Tx.,Wi.) cap them at 16 years of age. Ten of those states have mechanisms that require or permit younger teens to be tried as adults with little or no procedural requirements. OJJDP, NATIONAL REPORT SERIES, *Juveniles in Court*, at 5 (6/03).

[6] Twenty-nine states have statutory exclusions; 15 have mandatory waiver; six states have both, which leads to a total of 38. *Id.* at 6. Attachment A. The only role for the court in

When you add direct file, the number of states that require or, at the discretion of the prosecutor, permit juveniles to be tried as adults rises to 44[7] and with presumptive waivers the number rises to 47.[8] Of the four jurisdictions that have only discretionary waiver, one (Mo.) considers all 17 year olds to be adults.[9] The District of Columbia's direct file provision is more conservative than most jurisdictions and, as a result, we estimate that we prosecute fewer juveniles as adults proportionately than other jurisdictions -- about 1.6%.

The BRCR contends that the U.S. Attorney's Office targets juveniles for prosecution as adults simply because they have committed one of the enumerated offenses. I can personally attest that is not true. We have been given discretion and try to exercise it wisely. As Chief of the Sex Offense Section for many years, it fell to me to make the decision on whether to prosecute juveniles as adults for rape or first degree sexual abuse. It is my recollection that we usually took only one or two cases a year. Some years, there were none. Last year there were, unfortunately, several. As a general rule, we take violent rapes, gang rapes, and serial rapists. The same is true for armed robbery

---

mandatory waiver cases is making sure that the age, offense and/or prior record criteria are met. "A total of 31 states made substantive changes to their laws governing the criminal prosecution and sentencing of juveniles during the five-year period from 1998 to 2002. In general, the changes tended to expand the reach of these laws." NCJJ, National Overviews, "How have state laws governing prosecution of juveniles changed in recent years?" (2003). Six states narrowed the scope of otherwise broad discretionary waiver provisions, but for offenses that are not prosecuted in the adult system here. *Id.*

[7] Fifteen states have concurrent adult and juvenile jurisdiction or direct file, but nine also have statutory exclusion or mandatory waiver. OJJDP, *Juveniles in Court*, at 6.

[8] Sixteen states have presumptive waiver, but 13 also have statutory exclusion, mandatory waiver, or direct file as well. *Id.*

[9] Of the three remaining states, one has a lower limit of 12 years (Tx.) and the other two (Hi., Tn.) have no lower limit on age for prosecuting juveniles as adults. *Id.*

and burglary cases, where we are likely to take violent, repeat, or multiple assailant cases. Since murder is, by definition, violent, we generally take those cases where there are no apparent mitigating circumstances.

Altogether, we file cases against an average of 38 juveniles a year for the most serious, violent and repeat offenses: murder, rape, armed robbery, burglary and assault with intent to commit these offenses. This authority should not be taken away. Indeed, the age at which direct file for these offenses is authorized should be lowered to at least 15, if not 14. As we testified in January, we anticipate that this would increase our Title 16 caseload by only a handful of cases a year, if that, but where the severity of the offense or the chronicity of offenses warrants it, juveniles are best dealt with in the adult system.

We addressed the issue of transfer in the January hearing and I will not repeat my remarks here. But, for the reasons stated there and above, we oppose the proposed amendments in Bill 15-673 to D.C. Code § 16-2307 that would make transfer more difficult.

**Confidentiality**

Bill 15-666 creates a presumption that juvenile proceedings will be open to the public. This is a fascinating concept. One of the things we have questioned over the years -- with no real answer -- is whether confidentiality in the juvenile justice system is good, even for the juvenile. It certainly has not been good for victims who have been excluded from the process, nor is it good for public safety.

Enacting Bill 15-666 would align the District of Columbia with thirty states that have open hearings in juvenile proceedings that involve at a minimum, juveniles charged with serious or violent offenses or who are repeat offenders. *See* Attachment A, OJJDP, JUVENILE JUSTICE BULLETIN, *State*

*Legislative Responses to Violent Juvenile Crime: 1996-97 Update*, Table 5 (November 1998) (30 states have open hearings). Attachment B.[10] The shift to open proceedings came "[a]s juvenile crime became more serious [and] community protection, the public's right to know, and service providers' need to share information displaced the desire to protect minors from the stigma of youthful indiscretions." *Id*. at 8.

In January, we took the position, which we adhere to now, that regardless of any other categories of observers, victims and their close relatives (and perhaps even their close friends and neighbors) should be permitted to attend all juvenile delinquency court proceedings. However the final language of the bill comes out, opening hearings to victims should be guaranteed. We raise this because we have some concern that the language in Bill 15-666 could lead to the exclusion of victims and their families based on "the best interests of the respondent." Where victims are concerned, this should not be a criterion (except in the limited circumstance where personal and private information is being discussed).

Overall, it strikes us that it might be preferable to establish a balancing test by which the court has to weigh all of the factors mitigating in favor of open proceedings against all of the factors opposed to open proceedings. Because we have a tradition of closed hearings here, judges might be more inclined toward closed hearings and might easily identify a single reason for keeping them closed. It is always difficult to change culture and this would be a major culture change. Another

---

[10] *See also* National Center for Juvenile Justice, Frequently Asked Questions, *Confidentiality Issues*. "Fifteen states have statutes and/or court rules that generally close delinquency hearings . . . Twenty-one states open juvenile delinquency hearings to the public but place certain age/offense requirements on the openness of the hearings . . . As of the end of the 1999 legislative session, thirteen states had statutes and or court rules that permit or require juvenile delinquency proceedings to be open to the general public " *Id.* (listing states). Attachment C.

way to promote open juvenile delinquency hearings would be to establish a high standard -- such as clear and convincing evidence -- for closing them.

The Committee might want to consider whether, initially, it should open juvenile delinquency hearings only for offenses which are categorized as crimes of violence or dangerous crimes in either D.C. Code § 22-4501 or D.C. Code § 23-1331. These are the cases in which the public at large, including the media, has the greatest interest. As long as victims and their families and friends are permitted to attend proceedings involving simple assault, threats, stalking, destruction of property, unlawful use of a vehicle, assault on a police officer, and similar offenses, public access could be more limited.

Ironically, opening juvenile delinquency proceedings to the public would probably have much the same effect as open adult proceedings. Although there are a few court observers who attend trials and hearings, the general public does not fill our courtrooms -- often, not even the parents of the defendant attend court proceedings.[11] The media cover high profile cases, but the ordinary, run-of-the-mill cases -- including very interesting murder and rape cases -- languish in obscurity. So, in the end, Bill 15-666 might not have as dramatic an impact as either side might envision. But for people who know the victims of witnesses of the offense, or community members who have a particular interest in how the system is dealing with a youth who has plagued their neighborhood, open proceedings would be beneficial.

Finally on the subject of confidentiality in juvenile delinquency cases, we wholeheartedly support the proposal in Bill 15-537 to permit information sharing among law enforcement and social service agencies. Some states go further. Nine states allow the public release of juvenile court

[11] No member of the defendant's family came to his sentencing in the Zoo shooting case.

records without qualifying restrictions; fifteen states open juvenile court records to the public if the juvenile has committed a specified offense regardless of age; fourteen states open juvenile court records to the public if the juvenile has committed a specified offense and meets a statutory age requirement. *See Confidentiality Issues, supra*, note 10.

Throughout this section, we have referred to juvenile delinquency proceedings. Bill 15-666 addresses both juvenile delinquency and persons in need of supervision (PINS) proceedings. In our estimation, PINS proceedings are closer to child abuse and neglect proceedings than they are to juvenile delinquency proceedings. The public's interest in an individual who is harming primarily him or herself by being truant or running away from home, for example, is far less acute than its interest in juveniles committing crimes. Without a better understanding of -- and agreement with -- the proponents' rationale for opening PINS proceedings, we do not support this aspect of the bill.

I want to add that truancy is a huge problem in this city and often leads youth straight into the juvenile justice system since children and youth who are not in school and not under supervision are more likely to go astray. We need to address this problem vigorously.

## Other Proposals

### A. *Purpose Clause*

Bill 16-673 contains a purpose clause based on the Blue Ribbon Commission's recommendations. The idea of having a purpose clause to guide later decision making is a good one and we generally supported it during the deliberations on this subject three years ago. Particularly in view of other legislation pending before the Council -- and a closer examination of other states' laws -- however, we now recommend revising and broadening the purpose clause. Of those that we have seen, Alaska's purpose clause seems to be the most comprehensive and well balanced:

(a) The goal of this chapter is to promote a balanced juvenile justice system in the state to protect the community, impose accountability for violations of law, and equip juvenile offenders with the skills needed to live responsibly and productively.
(b) The purposes of this chapter are to
(1) respond to a juvenile offender's needs in a manner that is consistent with
(A) prevention of repeated criminal behavior;
(B) restoration of the community and victim;
(C) protection of the public; and
(D) development of the juvenile into a productive citizen;
(2) protect citizens from juvenile crime;
(3) hold each juvenile offender directly accountable for the offender's conduct;
(4) provide swift and consistent consequences for crimes committed by juveniles;
(5) make the juvenile justice system more open, accessible, and accountable to the public;
(6) require parental or guardian participation in the juvenile justice process;
(7) create an expectation that parents will be held responsible for the conduct and needs of their children;
(8) ensure that victims, witnesses, parents, foster parents, guardians, juvenile offenders, and all other interested parties are treated with dignity, respect, courtesy, and sensitivity throughout all legal proceedings;
(9) provide due process through which juvenile offenders, victims, parents, and guardians are assured fair legal proceedings during which constitutional and other legal rights are recognized and enforced;
(10) divert juveniles from the formal juvenile justice process through early intervention as warranted when consistent with the protection of the public;
(11) provide an early, individualized assessment and action plan for each juvenile offender in order to prevent further criminal behavior through the development of appropriate skills in the juvenile offender so that the juvenile is more capable of living productively and responsibly in the community;
(12) ensure that victims and witnesses of crimes committed by juveniles are afforded the same rights as victims and witnesses of crimes committed by adults;
(13) encourage and provide opportunities for local communities and groups to play an active role in the juvenile justice process in ways that are culturally relevant; and
(14) review and evaluate regularly and independently the effectiveness of programs and services under this chapter.

Alaska Stat. § 47.12.010. Some concepts that are in the BRC's recommendation do not appear here, but they could be incorporated with fairly minor revisions.[12]

[12] If the Council does not rephrase the whole section, at the very least the language in the relevant items should be changed to:

- to rehabilitate children and youth (rather than "remaining committed to the

**Monitoring the Safety of Youth in Shelter Care and Group Homes**

Given the reported shortcomings of many of our shelter care and group homes and the propensity of some youth to run away from them, monitoring these facilities seems like a good idea. We question whether the monitor should focus exclusively on the safety of all youth in D.C. facilities or should have a broader mandate. As we read the bill, the District would be required to have a full-time monitor at Oak Hill, 24/7. It might be preferable to require the staff at any facility, including Oak Hill, rather than the monitor, to notify the parent or guardian of any substantial injury to a child (more than minor cuts or bruises) and to have a monitor periodically both review the records and inspect the children and youth.

**Individualized Treatment Plans**

We understand that best practice requires an individualized treatment plan [ITP] for committed youth. Bill 15-673 imposes much more stringent time limitations on the preparation of the initial assessment and the ITP. The time periods recommended by the BRC -- 14 days for an initial assessment and 30 days for the ITP -- are more realistic and, in our view, will result in more thoughtful and comprehensive planning. For children who pose particularly difficult and intractable issues, more time should be allowed.

We disagree with the provision that would remove children or youth from the custody of the Youth Services Administration [YSA] for want of an initial assessment or ITP. If only those youth

---

rehabilitation of children");

- to promote abstinence from alcohol and drugs and recovery for children and youth who abuse alcohol or drugs (rather than "recognizing the ability to promote the rehabilitation of children who are substance abusers");
- to provide services to victims of crime committed by juveniles (rather than "recognizing the need" to provide such services).

who have committed fairly serious offenses and/or have fairly significant treatment needs are committed to YSA, then it is inconsistent with public safety to remove them from the custody of YSA. Where else will they go? How else can they be kept secure --whether under lock and key or in a staff secure facility? This doesn't make sense.

**Placement of PINS**

PINS children -- truants, runaways -- have not had center stage in the discussions about juvenile justice. We confess to not knowing enough about this issue. Surely, if the parents are not abusive, and are both willing and able to care for and supervise the child, the child could be returned home, but whether he or she should be is a different matter. As a city, we need to think more constructively about how best to deal with these children and what services in what settings would put them on a better path. For some, that may be home; for others it may be a different kind of facility.

The statute should not mandate filing a *neglect* petition against the parents, particularly for teenagers who may have bounded out of control inspite of the best efforts of the parent. It may be impossible for a parent working one or two jobs to have the kind of oversight and supervision required. We may need a separate mechanism or a separate facility that would keep these children and youth safe. The Seed School, a public charter boarding school in Southeast Washington, is an example of a program that works, providing youth with a safe and secure learning environment during the week and returning them home for the weekend. We could use more of them. *See* www.seedfoundation.com.

As far as separating PINS from delinquent youth goes, we agree that these two populations should not, as a general rule, be co-mingled. Nevertheless, there may be circumstances, hopefully

rare, where there is no alternative. We support Bill 15-537 on this point. With the opening of the new facility on Mt. Olivet Road -- which, we understand, has the capacity to keep different populations separate -- much of our concern about appropriate housing for PINS and lower level juvenile delinquents pending trial may be resolved.

**Monthly Evaluations**

As the District moves toward a new system of juvenile justice, we need to be cautious about weighing it down with so many requirements and so much paperwork that it cannot achieve what should be its primary mandates: public safety, accountability, and rehabilitation. Requiring a monthly evaluation and a monthly court hearing virtually guarantees that nothing else will be accomplished.

We addressed in a letter to Councilmember Fenty our views on the relative roles of the Court and YSA in determining placement decisions and have provided you, Ms. Chairperson, with a copy. Once a child is committed to YSA, YSA should be free to do its work.

Authorizing a child, parent or guardian to petition to alter the dispositional order not more often than every six months virtually guarantees that a petition will be filed every six months. It may be that this is a wise use of resources or it may not be. As written, however, it does not appear to strike the appropriate balance between rehabilitation, accountability and public safety. In particular, Bill 15-673 fails to mention, as the BRCR does, the possibility that the child is unwilling to accept the services offered. As noted above, simply turning a child or youth loose when success has not been achieved does not serve the public -- or the child or youth well. If YSA cannot provide -- or the child or youth will not accept appropriate services -- in a YSA facility, YSA should locate and contract with a suitable facility without the necessity of court involvement.

## Oak Hill

The District of Columbia must have a fenced and locked secure facility for juveniles. We cannot do without one. Based on reports we have heard, Oak Hill needs to be razed and new, smaller facilities built on the same site. We have supported this for a long time, pre-dating even the BRC. It is not realistic, however, to think that planning, authorization, funding, design, contracting, and construction of new facilities can be accomplished in 18 months.

We understand that experts recommend a maximum of 30 youth in a facility, and we support this concept -- noting that many separate facilities could be located on the grounds of Oak Hill. It is hard to discern, however, why the bill limits facilities for females, in particular, and sex-offenders to 10 youth, unless that is the maximum number of youth that fall into a given category that the District anticipates having in its care at any one time. Unfortunately, violent crime by females is rising and there may be a need for facilities to house more than 10 youths. Rather than specifying a number, it might be preferable to state that facilities should be constructed to accommodate sub-populations that can be no larger than 30, but can be smaller.

Certainly the District should follow best practices to the extent that it can and is funded to do so. We do not understand why the bill mandates best practices for "model facilities outside the District of Columbia," but not inside the District of Columbia.

## Parent Advisory Group

Certainly parents should be a part of whatever advisory group may be formed (in addition to the Juvenile Justice Advisory Group), but we are not confident that hearing only from parents and not other stakeholders in the system -- including victims, neighborhoods affected by juvenile crime, and neighborhoods where juvenile facilities are sited or sought to be sited -- would yield the most

useful information. The Blue Ribbon Commission recommended establishing an Interagency Task Force and Youth Coordinating Commission. There exists already the Juvenile Justice Advisory Group and a Juvenile Justice subcommittee of the Criminal Justice Coordinating Committee. We should think about what we really need in order to avoid overburdening the same people who are already meeting to discuss and come up with recommendations for the Mayor and the Council. I hear many good suggestions but the mechanisms for translating thoughts into action is often missing -- probably because the money is not available and is unlikely to be available.

So with all due respect, this aspect of reforming the juvenile justice system needs further consideration.

**Blended Sentencing**

One recommendation of the BRC was for blended sentencing. We opposed this recommendation on the ground that it should not be implemented until their was a highly functional system for rehabilitating youth in the juvenile justice system -- and that it should be paired with easy direct file and transfer provisions. We adhere to this position. Nevertheless, it is a goal toward which the District should move for the most serious, violent, and repeat offenders.

In a blended sentencing system, juveniles are tried as adults and, if the court deems it appropriate, it can suspend imposition or execution of an adult sentence and impose a juvenile disposition instead. If the juvenile is rehabilitated (and satisfies the other elements of his sentence, such as restitution, community service, etc.), then the conviction is treated as an adjudication, and he or she does not serve the adult sentence. However, if the juvenile is not rehabilitated, the adult sentence is available. This has the advantage of measuring a person's amenability for rehabilitation

based on fact rather than guesswork. And it protects society from those youth who cannot or will not change their destructive ways.[13]

**Conclusion**

The juvenile justice system cannot be reformed in a vacuum; it is too connected to other systems. In evaluating how we can best achieve the goals of public safety, accountability, and rehabilitation, we must look to the broader community.

Thank you for the opportunity to testify today. We ask that our testimony and its attachments be made a part of the record. We are attaching only excerpts from certain publications, but they are easily accessible on line or we will provide them to you if you would like the entire document. We would be pleased to answer any questions you might have.

Attachments
A. Chart of states' provisions for trying juveniles as adults
B. Chart of states' confidentiality provisions
C. NCJJ's "Confidentiality Issues"

[13] Blended sentencing resembles sentencing under the Youth Rehabilitation Act which permits a set aside of the conviction if the youth successfully completes his sentence.

# All states allow juveniles to be tried as adults in criminal court under certain circumstances

## Transferring juveniles to criminal court is not a new phenomenon

In some states, provisions that enabled transfer of certain juveniles to criminal court were in place before the 1920s. Other states have permitted transfers since at least the 1940s. For many years, all states have had at least one provision for trying certain youth of juvenile age as adults in criminal court. Such provisions are typically limited by age and offense criteria. Transfer mechanisms vary regarding where the responsibility for transfer decisionmaking lies. Transfer provisions fall into three general categories:

**Judicial waiver:** The juvenile court judge has the authority to waive juvenile court jurisdiction and transfer the case to criminal court. States may use terms other than judicial waiver. Some call the process *certification*, *remand*, or *bind over* for criminal prosecution. Others *transfer* or *decline* rather than waive jurisdiction.

**Concurrent jurisdiction:** Original jurisdiction for certain cases is shared by both criminal and juvenile courts, and the prosecutor has discretion to file such cases in either court. Transfer under concurrent jurisdiction provisions is also known as *prosecutorial waiver*, *prosecutor discretion*, or *direct file*.

**Statutory exclusion:** State statute excludes certain juvenile offenders from juvenile court jurisdiction. Under statutory exclusion provisions, cases originate in criminal rather than juvenile court. Statutory exclusion is also known as *legislative exclusion*.

### Most states have multiple ways to impose adult sanctions on juveniles

Statutes at the end of the 1999 legislative session

| State | Judicial waiver: Discretionary | Judicial waiver: Presumptive | Judicial waiver: Mandatory | Concurrent jurisdiction | Statutory exclusion | Reverse waiver | Once an adult, always an adult | Blended sentencing |
|---|---|---|---|---|---|---|---|---|
| Total States | 46 | 16 | 15 | 15 | 29 | 24 | 34 | 22 |
| Alabama | ■ | | | | ■ | | ■ | |
| Alaska | ■ | ■ | | | ■ | | | ■ |
| Arizona | ■ | ■ | | ■ | ■ | ■ | ■ | |
| Arkansas | ■ | | | ■ | | ■ | | ■ |
| California | ■ | ■ | | | ■ | | ■ | ■ |
| Colorado | ■ | ■ | | ■ | | ■ | | ■ |
| Connecticut | | | ■ | | | ■ | | ■ |
| Delaware | ■ | | ■ | | ■ | ■ | ■ | |
| Dist. of Columbia | ■ | ■ | | ■ | | | ■ | |
| Florida | ■ | | | ■ | ■ | | ■ | ■ |
| Georgia | ■ | | ■ | ■ | ■ | ■ | | |
| Hawaii | ■ | | | | | | ■ | |
| Idaho | ■ | | | | ■ | | ■ | ■ |
| Illinois | ■ | ■ | ■ | | ■ | | ■ | ■ |
| Indiana | ■ | | ■ | | ■ | | ■ | |
| Iowa | ■ | | | | ■ | ■ | ■ | ■ |
| Kansas | ■ | ■ | | | | | ■ | ■ |
| Kentucky | ■ | | ■ | | | ■ | | |
| Louisiana | ■ | | ■ | ■ | ■ | | | |
| Maine | ■ | ■ | | | | | ■ | |
| Maryland | ■ | | | | ■ | ■ | ■ | |
| Massachusetts | | | | ■ | ■ | | | ■ |
| Michigan | ■ | | | ■ | | | ■ | ■ |
| Minnesota | ■ | ■ | | | ■ | | ■ | ■ |
| Mississippi | ■ | | | | ■ | ■ | ■ | |
| Missouri | ■ | | | | | | ■ | ■ |
| Montana | ■ | | | ■ | ■ | ■ | | |
| Nebraska | | | | ■ | | ■ | | |
| Nevada | ■ | ■ | | | ■ | ■ | ■ | |
| New Hampshire | ■ | ■ | | | | | ■ | |
| New Jersey | ■ | ■ | ■ | | | | | |
| New Mexico | | | | | ■ | | | ■ |
| New York | | | | | ■ | ■ | | |
| North Carolina | ■ | | ■ | | | | ■ | |
| North Dakota | ■ | ■ | ■ | | | | ■ | |
| Ohio | ■ | | ■ | | | | ■ | |
| Oklahoma | ■ | | | ■ | ■ | ■ | ■ | ■ |
| Oregon | ■ | | | | ■ | ■ | ■ | |
| Pennsylvania | ■ | ■ | | | ■ | ■ | ■ | |
| Rhode Island | ■ | ■ | ■ | | | | ■ | ■ |
| South Carolina | ■ | | ■ | | ■ | ■ | | ■ |
| South Dakota | ■ | | | | ■ | ■ | ■ | |
| Tennessee | ■ | | | | | ■ | ■ | |
| Texas | ■ | | | | | | ■ | ■ |
| Utah | ■ | ■ | | | ■ | | ■ | |
| Vermont | ■ | | | ■ | ■ | ■ | | ■ |
| Virginia | ■ | | ■ | ■ | | ■ | ■ | ■ |
| Washington | ■ | | | | ■ | | ■ | |
| West Virginia | ■ | | ■ | | | | | ■ |
| Wisconsin | ■ | | | | ■ | ■ | ■ | |
| Wyoming | ■ | | | ■ | | ■ | | |

■ In states with a combination of provisions for transferring juveniles to criminal court, the exclusion, mandatory waiver, or concurrent jurisdiction provisions generally target the oldest juveniles and/or those charged with the most serious offenses, while those charged with relatively less serious offenses and/or younger juveniles may be eligible for discretionary waiver.

Source: Author's adaptation of Griffin's *State Juvenile Justice Profiles*.

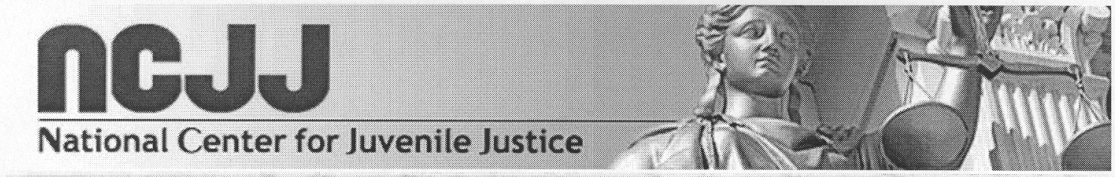
## Table 5: Summary of Provisions Limiting Confidentiality for Serious and Violent Juvenile Offenders, 1997

| State | Open Hearing | Release of Name | Release of Court Record[1] | Statewide Repository[2] | Finger-printing | Photo-graphing | Offender Registration | Seal/Expunge Records Prohibited |
|---|---|---|---|---|---|---|---|---|
| **Totals:** | **30** | **42** | **48** | **44** | **47** | **46** | **39** | **25** |
| Alabama | | | ■ | ■ | ■ | ■ | ■ | |
| Alaska | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Arizona | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Arkansas | | ■ | ■ | ■ | ■ | ■ | ■ | |
| California | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Colorado | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Connecticut | | | ■ | | ■ | ■ | | |
| Delaware | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Dist. of Columbia | | | ■ | | ■ | ■ | | |
| Florida | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Georgia | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Hawaii | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Idaho | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Illinois | | ■ | ■ | ■ | ■ | ■ | ■ | |
| Indiana | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Iowa | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Kansas | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Kentucky | | ■ | ■ | ■ | ■ | ■ | | ■ |
| Louisiana | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Maine | ■ | ■ | ■ | ■ | | | ■ | |
| Maryland | ■ | | ■ | ■ | ■ | ■ | | |
| Massachusetts | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Michigan | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Minnesota | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Mississippi | | ■ | ■ | | ■ | ■ | ■ | |
| Missouri | ■ | ■ | ■ | ■ | ■ | ■ | | |
| Montana | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Nebraska | | ■ | ■ | ■ | ■ | | | |
| Nevada | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| New Hampshire | | ■ | ■ | | | ■ | ■ | |
| New Jersey | | ■ | ■ | ■ | ■ | ■ | ■ | |
| New Mexico | ■ | | | ■ | ■ | ■ | ■ | |
| New York | | | ■ | ■ | ■ | ■ | | |
| North Carolina | | | ■ | | ■ | ■ | ■ | ■ |
| North Dakota | | ■ | ■ | ■ | ■ | ■ | | |
| Ohio | | | | ■ | ■ | ■ | ■ | |
| Oklahoma | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Oregon | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Pennsylvania | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Rhode Island | | ■ | ■ | ■ | | | ■ | |
| South Carolina | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| South Dakota | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Tennessee | | ■ | ■ | ■ | ■ | ■ | ■ | |
| Texas | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Utah | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Vermont | | | | | ■ | ■ | | |
| Virginia | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Washington | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| West Virginia | | ■ | ■ | | ■ | | | ■ |
| Wisconsin | ■ | ■ | ■ | ■ | | | ■ | |
| Wyoming | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

**Legend:** ■ indicates the provision(s) allowed by each State as of the end of the 1997 legislative session.

[1]In this category, ■ indicates a provision for juvenile court records to be specifically released to at least one of the following parties: the public, the victims(s), the school(s), the prosecutor, law enforcement, or social agency; however, all States allow records to be released to any party who can show a legitimate interest, typically by court order. [2]In this category, ■ indicates a provision for fingerprints to be part of a separate juvenile or adult criminal history repository.

Attachment C






Monday, April 5, 2004

Frequently Asked Questions

Confidentiality Issues

Crime Statistics

Death Penalty

Delays in the Justice System

Detention

Family Court

Female Offenders

Legislation

Parental Responsibility

Probation

Transfer to Criminal (Adult) Court

Search

## Confidentiality Issues

**Do any states require a hearing on the issue when a petition c motion for the sealing/expungement/destruction of juvenile court records is filed?**

California, Colorado, Delaware, Georgia, Idaho, Iowa, Kansas, Kentucky, Louisiana, Nebraska, Nevada, New Jersey, New York, Nort Carolina, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, and Vermont all have statutes requiring a hearing on the issue when a petition or motion for the sealing/expungement/destruction of juveni court records is filed. In Louisiana, this hearing can be waived by consent of the parties.

Szymanski, L. Sealing/Expungement/Destruction of Juvenile Court Records: What is the co process? *NCJJ Snapshot* 4(11). Pittsburgh, PA: National Center for Juvenile Justice, 1999.

---

**Are there any states that have provisions requiring that certa records cannot ever be sealed/expunged/destroyed?**

Over the years, the privacy of sealed records has eroded. For examp 24 states now have provisions requiring that certain records cannot ever be sealed/expunged/destroyed: Alaska, California, Colorado, Delaware, Florida, Georgia, Idaho, Iowa, Kansas, Kentucky, Louisian Michigan, Minnesota, Montana, Nevada, North Carolina, Ohio, Oregoı South Carolina, Texas, Virginia, Washington, West Virgina, and Wyoming. In most states, such unsealable records are typically for cases where the juvenile has committed a serious and/or violent offense.

Szymanski, L. Sealing/Expungement/Destruction of Juvenile Court Records: When sealing i not sealing? *NCJJ Snapshot* 4(10). Pittsburgh, PA: National Center for Juvenile Justice, 199

---

**Can previously sealed records ever be unsealed?**

Previously sealed records can be unsealed in some states under specified conditions. For example, any adjudication of delinquency or conviction of a felony or a crime involving moral turpitude subsequer to sealing has the effect of nullifying the sealing order in the followin states: Alabama, District of Columbia, New Mexico, and New York. Ir New Mexico, sealed records can also be unsealed upon order of the

court. In the following states, records can be sealed upon order of th court: Mississippi, Montana, Nevada, New Jersey, New Mexico, Ohio, Oklahoma, South Dakota, Texas, Utah, Vermont, and Washington.

Szymanski, L. Sealing/Expungement/Destruction of Juvenile Court Records: When is Sealin Not Sealing? *NCJJ Snapshot* 4(10). Pittsburgh, PA: National Center for Juvenile Justice, 19

---

**Can specified parties ever access sealed or expunged records**

Thirty jurisdictions have some provisions for allowing specified partie access to sealed or expunged records: Alabama, Alaska, Arizona, California, Colorado, the District of Columbia, Georgia, Idaho, Illinois Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Mississipp Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, South Dakota, Texas, Utah, Vermont, Washington, and West Virginia.

Szymanski, L. Sealing/Expungement/Destruction of Juvenile Court Records: When is Sealin Not Sealing? *NCJJ Snapshot* 4(10). Pittsburgh, PA: National Center for Juvenile Justice, 19

---

**Which states open juvenile court records to the public if the juvenile in question has committed a specified offense, regardless of age?**

Fifteen other states open juvenile court records to the public if the juvenile in question has committed a specified offense, regardless of age: California, Colorado, Delaware, Indiana, Kentucky, Louisiana, Maine, Mississippi, Missouri, Nebraska, New Jersey, Oklahoma, Rhod Island, South Carolina, and Wyoming.

Szymanski, L. Public Juvenile Court Records. *NCJJ Snapshot* 5(10). Pittsburgh, PA: Nationa Center for Juvenile Justice, 2000.

---

**Which states open juvenile court records to public scrutiny on if the juvenile committed a specified offense and meets the statutory age requirement?**

There are fourteen states that open juvenile court records to public scrutiny only if the juvenile in question has committed a specified offense and if the juvenile meets the statutory age requirement: Alaska, Georgia, Hawaii, Illinois, Massachusetts, Minnesota, North Dakota, Pennsylvania, Tennessee, Utah, Vermont, Virginia, West Virginia, and Wisconsin.

Szymanski, L. Public Juvenile Court Records. *NCJJ Snapshot* 5(10). Pittsburgh, PA: Nationa Center for Juvenile Justice, 2000.